

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b> SUBJECT PRISONER HOUSING UNIT REPRESENTATIVES/WARDEN'S FORUM	EFFECTIVE DATE 03/05/07	NUMBER 04.01.150
	SUPERSEDES 04.01.150 (01/01/01)	
	AUTHORITY MCL 791.203	
	ACA STANDARDS 4-4016; 4-4180	
	PAGE 1 OF 3	

## POLICY STATEMENT:

Correctional Facilities Administration (CFA) prisoners shall be provided with a systematic means of communication and problem-solving with staff.

## POLICY:

### GENERAL INFORMATION

- A. This policy applies only to general population housing units for security Level I through V prisoners. In other units, prisoners should contact their Resident Unit Manager (RUM) with concerns regarding conditions of confinement that affect groups of prisoners or the entire unit. If the RUM cannot resolve the concerns, s/he shall submit them to the appropriate Assistant Deputy Warden (ADW). If not resolved by the ADW, s/he shall submit the concerns to the Deputy Warden. If not resolved by the Deputy Warden, s/he shall refer the matter to the Warden for resolution.
- B. The role of prisoner housing unit representatives is to assist housing unit staff in identifying and resolving problems which exist in the unit. Housing unit representatives serve solely in an advisory capacity to the administration and shall in no way jeopardize the custody, security, or good order of the institution. A housing unit representative who abuses his/her position by creating a serious threat to the custody, security or good order of the institution may be removed and/or permanently prohibited from serving as a housing unit representative as set forth in Paragraph I.

### ELECTION OF HOUSING UNIT REPRESENTATIVES

- C. Only prisoners who volunteer to be representatives for their housing unit shall be candidates. Candidates must be free of major misconducts for at least the six month period immediately preceding the election. If there are no candidates who satisfy this requirement, the Warden may waive the requirement. Prisoners designated as Security Threat Group members pursuant to PD 04.04.113 "Security Threat Groups" are not eligible to be candidates.
- D. Elections for housing unit representatives shall be conducted by secret ballot by the RUM or camp ADW, as appropriate, or designee. Notice of the election shall be provided to the unit's prisoner population at least one week prior to the election.
- E. One housing unit representative of a minority race and one housing unit representative of a non-minority race shall be elected from each unit. The non-minority and minority candidate receiving the second highest number of votes shall serve as alternate housing unit representatives. An alternate shall serve in place of the housing unit representative of the same race whenever s/he is unable to perform his/her duties.
- F. Housing unit representatives shall serve six-month terms. However, prisoners shall not serve more than two consecutive terms, except as identified in Paragraph G. After completing two consecutive terms or when not elected to a second term, a prisoner must wait at least six months after the end of the term before again being a candidate. A prisoner removed as housing unit representative pursuant to

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 03/05/07	NUMBER 04.01.150	PAGE 2 OF 3
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Paragraph H or I must wait at least twelve months after the date of removal before again being a candidate.

- G. If a vacancy occurs prior to the expiration of a prisoner's term as housing unit representative, the vacancy shall be filled by the alternate of the same race as the representative who created the vacancy. If the vacancy cannot be filled by the alternate (e.g., alternate transferred), the vacancy shall be filled by the prisoner of the same race who received the third highest number of votes in the most recent election. If the vacancy cannot be filled in this manner, the RUM or camp ADW, as appropriate, or designee shall conduct a special election by secret ballot. If the housing unit representative who fills the vacancy will be serving less than 90 days of the unexpired term, s/he shall be eligible, if elected, to serve two additional consecutive terms.

#### REMOVAL OF HOUSING UNIT REPRESENTATIVES

- H. A housing unit representative may be removed by a two-thirds vote of the prisoners assigned to the housing unit. To remove a housing unit representative, a recall election shall be conducted by secret ballot by the RUM or camp ADW, as appropriate, or designee. Notice of the recall election shall be provided to the prisoner population at least one week prior to the election.
- I. A housing unit representative who is found guilty of major misconduct or designated as a Security Threat Group member shall be removed immediately as housing unit representative by the Warden or designee. The Warden also may remove a prisoner who engages in conduct which otherwise jeopardizes the custody, security or good order of the facility. A prisoner shall be permanently prohibited from being a housing unit representative only with prior written approval of the CFA Deputy Director or designee. The Warden shall ensure that a prisoner removed or permanently prohibited from being a housing unit representative pursuant to this paragraph is notified in writing of that decision, including the reason for the decision. A prisoner who disagrees with the decision may file a grievance in accordance with PD 03.02.130 "Prisoner/Parolee Grievances".

#### RESPONSIBILITIES OF HOUSING UNIT REPRESENTATIVES

- J. Housing unit representatives shall meet at least monthly with the RUM or camp ADW, as appropriate, and other staff designated by the RUM or camp ADW to discuss matters of concern to the unit population. The RUM or camp ADW shall notify unit staff and representatives of meeting dates at least one week prior to meetings. Housing unit representatives shall submit any agenda items in writing to the RUM or camp ADW at least three business days prior to the scheduled meeting. If agenda items are not submitted, a meeting is not required. Following the meeting, the RUM or camp ADW shall provide the housing unit representatives with written responses to each agenda item, copies of which shall be provided to the Warden and posted in the housing unit.
- K. Housing unit representatives are encouraged to solicit input from those they represent and to give consideration to the views expressed. Housing unit representatives shall not use their position to present individual complaints to the administration. Individual complaints may be pursued through the grievance process as set forth in PD 03.02.130 "Prisoner/Parolee Grievances".

#### WARDEN'S FORUM

- L. The purpose of the Warden's Forum is to assist the Warden in identifying and resolving problems which exist in the general population of the institution. The Warden's Forum shall be comprised of the institution's housing unit representatives. The Warden shall determine whether the institution's housing unit representatives shall alternate attendance at forum meetings or whether all representatives shall attend each meeting.
- M. The Warden of an institution to which a camp is annexed may have a separate Warden's Forum for the camp. If a separate Warden's Forum is not established, the Warden shall ensure that camp prisoner interests are adequately represented by the institution's Warden's Forum.

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 03/05/07	NUMBER 04.01.150	PAGE 3 OF 3
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- N. Each Warden's Forum may establish offices within the Forum, such as chairperson and secretary. These offices shall be filled by either an elective process or on a rotating basis, as determined by the representatives at the first meeting following housing unit representative elections.
- O. The Warden's Forum shall meet with the Warden at least monthly to discuss matters of concern to the general prisoner population. The Warden shall notify Warden's Forum members and appropriate staff of the meeting date at least one week prior to the scheduled meeting. The Warden's Forum shall submit any agenda items in writing to the Warden at least three business days prior to the scheduled meeting. If agenda items are not submitted, a meeting is not required. Minutes of the meeting shall be maintained by staff designated by the Warden.
- P. Following each Warden's Forum meeting, the Warden shall provide the Warden's Forum with written responses to each agenda item, copies of which shall be posted in each housing unit and forwarded to the appropriate Regional Prison Administrator (RPA) and to the Grievance and Appeals Section in the Office of Legal Affairs.
- Q. If a separate Warden's Forum is established in a camp, the Warden may designate the camp ADW to act on his/her behalf to fulfill the requirements set forth in Paragraphs Q and R. In such cases, the camp Warden's Forum may utilize the minutes from their meetings to refer agenda items to the Warden. The Warden shall provide written responses to questions referred, copies of which shall be posted in the housing unit in the camp and forwarded to the appropriate RPA and the Grievance and Appeals Section in the Office of Legal Affairs.
- R. The Warden's Forum's duties shall include the selection of Forum members to serve as members of the Prisoner Benefit Fund Committee, to serve on the Prisoner Store Committee, to participate in the movie selection process, and to establish radio and television schedules. With approval of the Warden, members also may be selected to conduct food quality inspections in the dining room and to serve on ad hoc committees established for special purposes by the Warden. If a separate Warden's Forum is not established for a camp, the Warden of the institution to which the camp is annexed shall ensure that camp prisoner interests are adequately represented on such committees.

#### OPERATING PROCEDURES

- S. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive. Procedures shall be completed within 60 calendar days after the effective date of this policy directive. This includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

#### AUDIT ELEMENTS

- T. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist Wardens with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".